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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARUSO GLYNN, LLC

Plaintiff,

-Against-

SAI TRUST and ROBERT MEMBREÑO,
Individually and as Trustee for SAI
TRUST,

Defendants.

Civil Action No.: 7:11-cv-4360 (VB)
ECF CASE

**DECLARATION OF MARC
MEMBREÑO**

I, Marc Membreño, declare under penalty of perjury as follows:

1. I make this declaration based upon my personal knowledge, and submit this Declaration in support of the motion of the Defendants herein, SAI TRUST (hereinafter “SAI”) and ROBERT MEMBREÑO, to dismiss the plaintiff’s complaint in this case..

2. Robert Membreño is my father, and is the sole trustee of SAI, which I understand to be a trust established under California law. I am not a trustee of SAI, nor am I authorized or designated to accept service of process on behalf of SAI.

3. Over approximately a two month period between July and September 2011, a process server visited my place of business at 2072B Walsh Avenue, Santa Clara.

California, on several occasions stating that he had papers to serve upon my father. I informed the process server that I was not authorized to accept legal papers on behalf of SAI or my father. I informed the process server that my father currently resides in Nicaragua, and that my father was the person that should be contacted about service. Apparently during one of his visits in the middle of September, the process server left an envelope containing legal papers on a chair at my office without my knowledge. I eventually found the envelope on the chair under copies of other papers.

4. At about the same time, another set of what appeared to be the same or similar legal papers arrived at my place of business by mail.

The foregoing is declared to be true and correct under penalty of perjury.

Dated: December 22, 2011
Santa Clara, CA



Marc Membreño